



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-3

November 7, 2002

Alfred Fondacaro, Jr., Treasurer
Massachusetts Republican State Congressional
Committee
27 Water Street, Suite 309
Wakefield, MA 01880

Identification Number: C00042622

Reference: April Quarterly (1/1/02-3/31/02) and July Quarterly (4/1/02-6/30/02) Reports

Dear Mr. Fondacaro:

This letter is to inform you that as of November 6, 2002 the Commission has not received your response to our requests for additional information dated October 16, 2002. These notices request information essential to full public disclosure of your federal election campaign finances. To ensure compliance with the provisions of the Federal Election Campaign Act (the Act), please respond to these requests (copies enclosed).

An adequate response must be received at the Commission by November 27, 2002. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. Requests for extensions of time in which to respond will not be considered. Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter, please contact Colleen Manning on our toll-free number (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division) or our local number (202) 694-1130.

Sincerely,

John D. Gibson

Assistant Staff Director
Reports Analysis Division

Enclosures



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

RQ-2

Edward Bertorelli, Treasurer
Massachusetts Republican State Congressional
Committee
27 Water Street, Suite 309
Wakefield, MA 01880

OCT 16 2002

Identification Number: C00042622

Reference: July Quarterly Report (4/1/02-6/30/02)

Dear Mr. Bertorelli:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-The totals listed on Lines 11(a)(iii), 11(d), 18, 19, 20, 21(a)(i), 21(a)(ii), 21(b), 21(c), 30, and 31, Column B of the Detailed Summary Page(s) appear to be incorrect. Please be advised that you should add the "Calendar Year-to-Date" total from your previous report to the current "Total This Period" figure from Column A to derive the correct Column B totals. Please amend your report and any subsequent reports that may be affected by this correction.

-Your calculations for Lines 6(c) and 7, Column B appear to be incorrect. FEC calculations disclose these amounts to be \$722,512.84 and \$449,851.53, respectively. Please provide the corrected totals on the Summary Page.

-The beginning cash balance of this report should equal the ending balance of your April Quarterly Report. Please clarify this discrepancy and amend any subsequent report(s) that may be affected by this correction.

-Commission Regulations require that a committee disclose the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR §104.3(a)(4)(i)) Identification for an individual is

MASSACHUSETTS REPUBLICAN STATE CONGRESSIONAL COMMITTEE
PAGE 2

defined as the full name, mailing address, occupation and name of employer. (11 CFR §100.12) Your report discloses contributions from individuals for which the identification is not complete.

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR §104.7(b)(1))

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2)) The request must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you shall either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR §104.7(b)(4))


Please provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

MASSACHUSETTS REPUBLICAN STATE CONGRESSIONAL COMMITTEE
PAGE 3

-Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Refunds of contributions to individuals should be properly disclosed on a separate Schedule B, supporting Line 28(a) of the Detailed Summary Page. Please refer to the instructions contained on the forms to determine the proper categorization when preparing your next filing.

A response or amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,



Colleen Manning
Campaign Finance Analyst
Reports Analysis Division

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